

computer readable medium. Independent claims 6 and 10 have been amended to recite computer readable media. Claims 11 and 13-15 have been cancelled.

35 USC 102(b) Rejections

Claims 1, 3, 4, 6-9, 13, 14, 16 and 17 were rejected under 35 USC 102(b) as being anticipated by features and functionality publicly available at least as early as November 29, 2002 on the web site Coloring.com, as indicated by archived web pages retrieved from <http://web.archive.org>. The web pages cited by the Examiner show a site offering a number of categories of black and white drawings, for example as shown on pages 5-7. A user can select one of the drawings, such as the rabbit shown on page 20, select a color from a palette of available colors, as shown on page 20, select a section of the drawing by positioning a cursor over that section of the drawing, as shown on page 21, and click to fill in that section with the selected color, as shown in page 22.

Applicant respectfully disagrees with the Examiner's interpretation and application of Liu. The Examiner, without providing any supporting technical reference or dictionary definition, characterizes the black and white drawings used by Liu as a grayscale image. Applicant believes that this position is not well founded and that drawings as depicted in Liu would not be considered by those of ordinary skill in the art to be a grayscale image. In any event, the terms "grayscale" and "grayscale image" are expressly defined and consistently used by Applicant throughout the application. As stated in [0023] of the pending application, "As is well known in the art, grayscale images are images containing multiple shades or levels of gray". Paragraph [0023] goes on to clarify the scope and meaning of the term by stating "It will be understood that the use of the term 'grayscale' or 'grayscale image' does not necessarily means that the image is either stored or displayed to the user in gray shades, but rather the terms are used herein more broadly to refer generally to image content intended to be rendered in multiple color tones based on the combination of two component colors." (emphasis added) Applicant believes that the scope of the term "grayscale image" is completely clear and unambiguous in light of the specification and excludes an image that is composed solely of black and white without any intermediate shades or tones.

It is further noted that the Examiner's comments on page 6 of the action in applying Liu to Applicant's claims do not reflect the language of the pending claims. Referring to the first paragraph on page 6 of the action of August 9, the Examiner indicates that the rabbit drawing is composed of multiple markup language elements that each are capable of accepting content. One example of such an element is the rabbit's abdomen on page 21 of the Coloring.com materials. In the second paragraph on page 6, the Examiner takes the position that Liu teaches applying the rabbit drawing as image content of an element. In these two paragraphs on page 6 of the action, the Examiner is describing and shifting between two different elements. In the first paragraph, the Examiner is referring to the individual component regions of the rabbit drawing that can each be associated with a color. In the second paragraph, the examiner is referring to a completely different element that could have the entire rabbit drawing as image content. This is not what is claimed.

Applicant's claims relate to a single element that has at least one associated color attribute and also has grayscale image content to which the at least one associated color attribute is applied as at least one component color. For example, independent claim 1 recites "associating at least one color with a markup language element" and "applying a grayscale image as content of the element". (emphasis added) Independent claims 6, 10, and 16 recite similar features. Liu neither discloses nor suggests this.

35 U.S.C. 103 Rejections

Claims 2, 5, 9, 12 and 15 were rejected under 35 U.S.C. 103(a) as being unpatentable over Coloring.com in further view of "Sams Teach Yourself Microsoft Publisher 2000 in 10 Minutes". The Sams reference, published in 1999, shows that color groups and electronic product designs were known in the art.

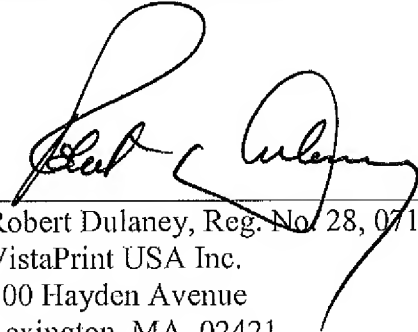
Summary

In light of the above amendments and remarks, it is believed that all pending claims are now in condition for allowance and favorable action on all claims is

respectfully requested. If any additional fee is required by this amendment, the fee may be charged to Deposit Account No. 502765.

If the Examiner believes a telephone call would serve to advance the prosecution of this case, he is invited to telephone the undersigned at the number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert Dulaney", is written over a horizontal line.

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